

SITE FILE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

931 Chestnut Building
Philadelphia, Pennsylvania 19107

ORIGINAL
(Red)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer To: 3HW14

JUN 02 1987

Larry Fiegelman
Elmherst Boulevard
Scranton, PA 18503

Re: Marjol Battery Site
Throop, Pennsylvania

Dear Mr. Fiegelman:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9604(e), et. seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), you are requested to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your officers, employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), particularly lead, lead salts, industrial acid wastes, phenanthrene, anthracene, and naphthalene which were transported to, or stored, or disposed of at the Marjol Battery and Equipment Company, Delaware Street, Throop, Lackawanna County, Pennsylvania.

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

The response should include, but not be limited to, information and documentation concerning:

1. The types and quantities of the hazardous substances sent to the Marjol Battery site;
2. The date(s) such substances were sent to the Marjol Battery site;
3. The state (i.e., liquid, solid, or gaseous) of the substances sent to the Marjol Battery site and the manner in which the substances were stored or disposed (i.e., drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.);

4. Any correspondence between you and any regulatory agencies regarding such substances;
5. Any correspondence between you and any third party regarding such substances;
6. The identity of, and documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such substances to the Marjol Battery site; and
7. Copies of any deeds, rights-of-way, leases, or other real interests which you have/have had in the Marjol Battery site.

Please describe any documents that were maintained by you of the transactions with the Marjol Battery site including the date of the documents, the author of the documents, the current location of the documents and the current custodian, and all efforts that were taken to identify these documents.

In addition to the above information, if your company is privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all insurance policies.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

Please send the required information to:

Michael R. Mason, Compliance Officer
U.S. Environmental Protection Agency, Region III
CERCLA Removal Enforcement Section (3HW14)
841 Chestnut Building, 6th Floor
Philadelphia, PA 19107

If you have any questions concerning this matter, please contact
Mr. Mason at (215) 597-6684.

Sincerely,



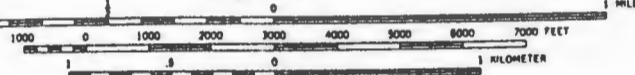
Bruce P. Smith, Chief
Hazardous Waste Enforcement Branch

Enclosure(s): Location Map

cc: Reno Ducceschi, PADER

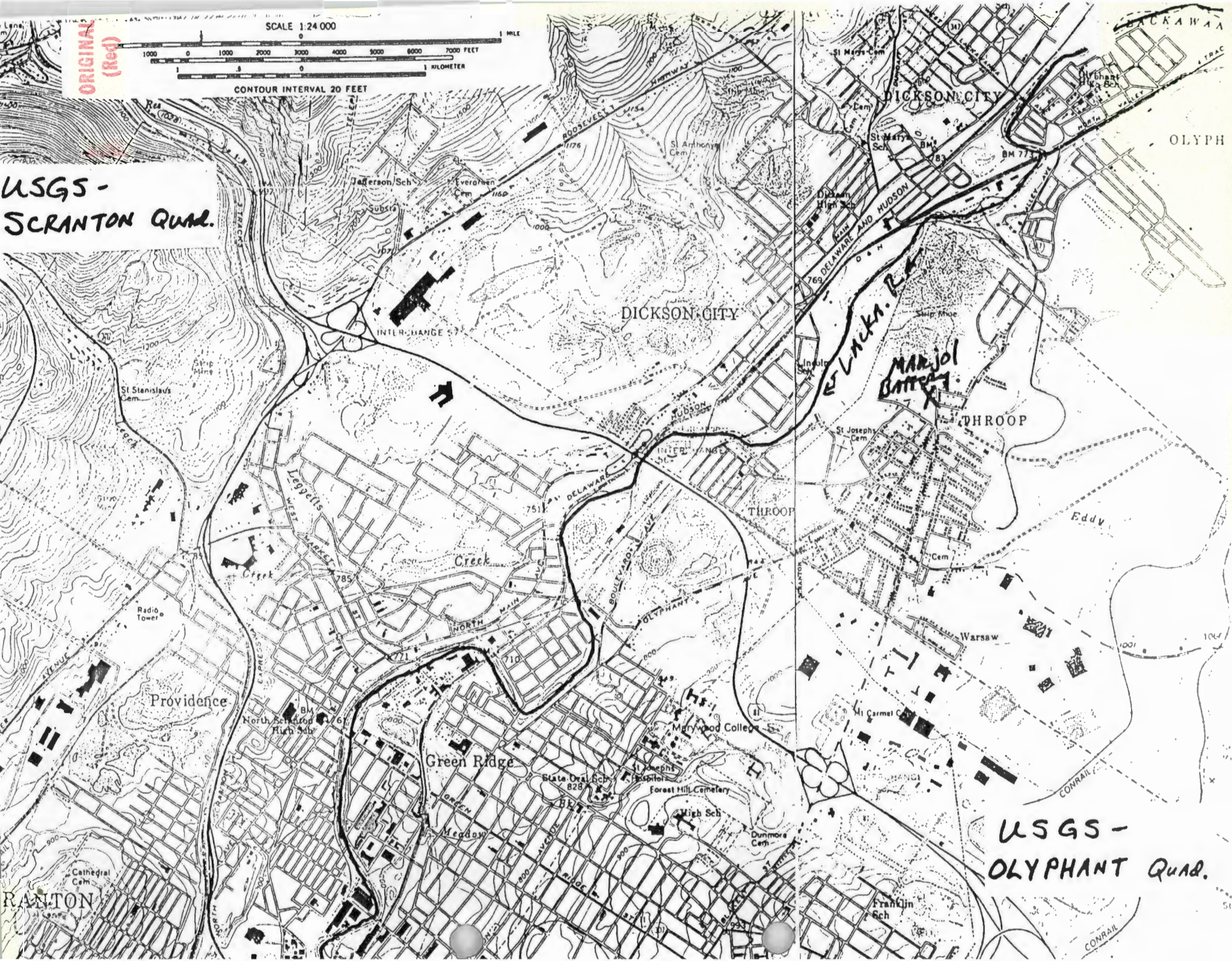
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